

Application Serial No. 10/759,678  
Attorney Docket No. HES 2003-IP-011937U1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

REDDY, ET AL.

Serial No.: 10/759,678

Filed: Jan. 16, 2004

Title: "SETTABLE FLUIDS COMPRISING  
PARTICLE-SIZE DISTRIBUTION-  
ADJUSTING AGENTS AND METHODS OF  
USE"

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Group Art Unit: 1755

Examiner: Paul D. Marcantoni

Atty. Docket No: HES 2003-IP-011937U1

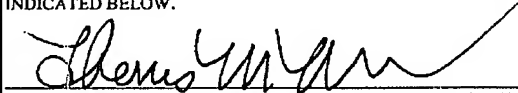
## CERTIFICATE OF MAILING VIA FACSIMILE

ATTY. DOCKET NO.: HES 2003-IP-011937U1

GROUP ART UNIT: 1755

EXAMINER: PAUL D. MARCANTONI

PURSUANT TO 37 C.F.R. § 1.8, I HEREBY CERTIFY THAT I HAVE  
INFORMATION AND A REASONABLE BASIS FOR BELIEF THAT THIS  
CORRESPONDENCE IS BEING SENT VIA FACSIMILE TRANSMISSION  
TO THE HONORABLE COMMISSIONER OF PATENTS, FACSIMILE  
NUMBER 703.872.9306, AT THE TIME AND ON THE DATE  
INDICATED BELOW.



THOMAS M. MORROW

REG NO. 55,469

TIME, DATE OF TRANSMISSION: 4:15 PM CST  
08/30/2004

TO FACSIMILE NUMBER: 703.872.9306

Honorable Commissioner of Patents  
Alexandria, Va 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT  
AND AMENDMENT

Dear Sir:

In the Office Action mailed on August 19, 2004, the examiner imposed a restriction requirement under 35 U.S.C. 121. The examiner indicated that the claims covered four distinct inventions and required selection of one set of claims for prosecution on the merits.

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In response to the Office Action of August 19, 2004, Applicant respectfully requests that the amendments set forth below be entered to withdraw claims 40-86, 114-119, and 120-122, and elect claims 1-39, and 87-113 for prosecution on the merits. As the 30-day shortened statutory period for reply is due September 19, 2004, and this response is being filed on August 30, 2004, this Response is considered timely filed.

**Amendments to the Claims** are reflected in the listing of claims that begins on page 3 of this paper.

**Summary** begins on page 17 of this paper.